

First Regular Session 116th General Assembly (2009)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2008 Regular Session of the General Assembly.

HOUSE ENROLLED ACT No. 1681

AN ACT to amend the Indiana Code concerning family law and juvenile law.

Be it enacted by the General Assembly of the State of Indiana:

SECTION 1. IC 21-11-3-2, AS ADDED BY P.L.2-2007, SECTION 252, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2009]: Sec. 2. The commission shall do the following:

- (1) Prepare and supervise the issuance of public information concerning all of the commission's programs.
- (2) Prescribe the form and regulate the submission of applications for all of the commission's programs.
- (3) Determine the amounts of grants and scholarships.
- (4) Determine eligibility for grants and scholarships.
- (5) Receive federal funds made available to the commission for awards, grants, and scholarships, and disburse these funds in the manner prescribed by federal law.
- (6) **One (1) time every year, submit a report to the legislative council that provides data and statistical information regarding the number of individuals who received assistance under IC 21-12-6 and IC 21-12-6.5. The report made to the legislative council must be in an electronic format under IC 5-14-6.**

SECTION 2. IC 21-12-6-14, AS ADDED BY P.L.168-2007, SECTION 8, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2009]: Sec. 14. (a) This section applies to a student described

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in section ~~2(b)~~ **5(b)** of this chapter.

(b) A caseworker **(as defined in IC 31-9-2-11)** shall provide each student to whom the caseworker is assigned information concerning the program at the appropriate time for the student to receive the information, ~~and shall~~ explain the program to the student, **and shall provide the student with information concerning:**

- (1) Pell grants;**
- (2) Chafee grants;**
- (3) federal supplemental grants;**
- (4) the Free Application for Federal Student Aid; and**
- (5) the state student assistance commission.**

(c) A student who receives information under this section shall sign a written acknowledgment that the student received the information. The written acknowledgment must be placed in the student's case file.

SECTION 3. IC 21-12-6.5 IS ADDED TO THE INDIANA CODE AS A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2009]:

Chapter 6.5. Eligibility for Twenty-First Century Scholars Program for Foster Care Youth

Sec. 1. This chapter applies to an individual who:

- (1) is receiving foster care;**
 - (2) is in grades 9 through 12; and**
 - (3) is a resident of Indiana as determined under IC 21-11-7;**
- at the time the individual applies for the twenty-first century scholars program under IC 21-12-6.**

Sec. 2. An individual described in section 1 of this chapter may enroll in the twenty-first century scholars program under IC 21-12-6 and is eligible for higher education benefits under IC 21-12-6.

Sec. 3. Determination of initial eligibility for higher education benefits authorized under this chapter is vested exclusively in the commission. Any individual described in section 1 of this chapter may make a written request for a determination by the commission of eligibility for benefits under this chapter. The commission shall make a written determination of eligibility in response to each request. In determining the amount of an eligible individual's benefit, the commission shall consider other higher education financial assistance in conformity with this chapter.

Sec. 4. An appeal from an adverse determination under section 3 of this chapter must be made in writing to the commission not more than fifteen (15) working days after the applicant's receipt of the determination. A final order must be made not more than

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fifteen (15) days after receipt of the written appeal.

Sec. 5. A person who knowingly or intentionally submits a false or misleading application or other document under this chapter commits a Class A misdemeanor.

SECTION 4. IC 31-25-2-4.5 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2009]: **Sec. 4.5. One (1) time every year, the department shall submit a report to the legislative council that provides:**

- (1) data and statistical information regarding the number of individuals receiving foster care who are notified of the twenty-first century scholars program under IC 21-12-6 and IC 21-12-6.5, including the percentage of individuals receiving foster care who are notified; and**
- (2) information regarding how the department notifies individuals in foster care of the twenty-first century scholars program under IC 21-12-6 and IC 21-12-6.5.**

The report made to the legislative council must be in an electronic format under IC 5-14-6.

SECTION 5. [EFFECTIVE UPON PASSAGE] **(a) The department of education, the department of child services, the state student assistance commission, and the commission for higher education shall jointly:**

- (1) study whether there is a need for a foster care educational assistance program to assist a person who received foster care with educational assistance to supplement federal and state educational grants and assistance programs; and**
- (2) submit a report containing recommendations to the legislative council by October 1, 2009, concerning:**
 - (A) whether legislation should be proposed to establish a foster care education assistance program; and**
 - (B) the best agency to administer a foster care education assistance program.**

The report made to the legislative council must be in an electronic format under IC 5-14-6.

(b) This section expires December 31, 2009.

SECTION 6. An emergency is declared for this act.

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Speaker of the House of Representatives

President of the Senate

President Pro Tempore

Governor of the State of Indiana

Date: _____ Time: _____

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